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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/810,213 | 03/26/2004 | Koji Sakai | MAT-8524US | 8378 |

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VALLEY FORGE, PA 19482-0980

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| EXAMINER |
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SAMS, MATTHEW C

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| ART UNIT | PAPER NUMBER |
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2617

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/810,213 | Applicant(s) SAKAI ET AL. | |
| | Examiner Matthew C. Sams | Art Unit 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2617

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Information Disclosure Statement

2. The information disclosure statement filed on 3/26/2004 has been considered.

Claim Objections

3. Claim 3 is objected to because of the following informalities: "potion" is assumed to be a spelling error and should actually be portion. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagashima (US-6,658,111).

Regarding claim 1, Nagashima teaches a folding mechanism (Fig. 1) comprising a fixed member (Col. 1 lines 12-15) having a plurality of fixed cams disposed on a side face thereof (Fig. 3 & 15 [9] and Col. 4 lines 3-9), a movable member arranged for rotation with respect to the fixed member having a plurality of movable cams disposed on a side face thereof in confronting relation with the fixed cams (Fig. 3 [6] and Col. 3 line 57 through Col. 4 line 9) and a spring for urging the movable member or the fixed member such that the movable cams and the fixed cams are brought into resilient contact with each other (Fig. 3 [7] and Col. 3 lines 42-56), wherein one of the plurality of fixed cams and movable cams are disposed on the outer circumferential side and the other of the cams are disposed on the inner circumferential side and the other of the cams are disposed on the inner circumferential side. (Fig. 3 [9], Figs. 11-13 [8] and Col. 4 lines 35-45)

Regarding claim 2, Nagashima teaches the folding mechanism according to claim 1 wherein the plurality of fixed cams and movable cams disposed on the outer circumferential side and on the inner circumferential side are each disposed in symmetrical positions with each other. (Col. 5 lines 26-35)

Regarding claim 3, Nagashima teaches an electronic apparatus (Fig. 2 [1]) comprising a folding mechanism (Fig. 1 [4]) which comprises a fixed member having a plurality of fixed cams disposed on a side face thereof (Fig. 3 & 15 [9] and Col. 4 lines 3-9), a movable member arranged for rotation with respect to the

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fixed member having a plurality of movable cams disposed on a side face thereof in confronting relation with the fixed cams (Fig. 3 [6] and Col. 3 line 57 through Col. 4 line 9), and a spring for urging the movable member or the fixed member so that the movable cams and the fixed cams are brought into resilient contact with each other (Fig. 3 [7] and Col. 3 lines 42-56), in which one of the plurality of fixed cams and movable cams are disposed on the outer circumferential side and the other of the cams are disposed on the inner circumferential side (Fig. 3 [9], Figs. 11-13 [8] and Col. 4 lines 35-45), a fixed housing (Fig. 2 [2]) having at least one of an operating portion (Fig. 2 [2b]) and a voice input portion (Fig. 2 [2a]) disposed on an upper face thereof, and a movable housing (Fig. 2 [3]) having at least one of a display portion (Fig. 2 [3b]) and a voice output portion (Fig. 3 [3a]) disposed on a surface, wherein the fixed member and the movable member are mounted on the fixed housing and the movable housing, respectively or vice versa. (Fig. 2 [4] and Col. 3 lines 7-25)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US-6,886,221 to Minami et al. regarding folding device and electronic equipment using the same.
- JP-2002-171319A to Usui regarding a folding type portable telephone set.
- JP-3037217 to Toba regarding a folding type portable electronic equipment.
- JP-2002-118633A to Nishibori regarding a folding portable telephone.

- JP-2000-017932A to Ona regarding a hinge device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS
8/11/2006


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER